

REMARKS

Claims 1 and 4-11 are pending.

Claims 2, 3 and 12-22 have been canceled.

Claim 1 has been amended to recite the subject matter of canceled claims 2 and 3. Claim 1 also recites that "the titanium reacts with any residual silicon oxide which may be present on the silicon surface to promote the reaction of nickel and platinum with silicon." Support for this description can be found in paragraph 0006, 0028 and (especially) 0033 of the present specification.

No new matter has been added by way of the above-amendment.

I. Request Entry Of This Amendment

Applicants note that claim 1 has been amended to recite the subject matter of claim 3. Since the Examiner has indicated that claim 3 recites allowable subject matter, Applicants respectfully submit that there would not be an undue burden on the Examiner to enter and consider this Amendment.

The following sections correspond to the sections of the outstanding Office Action.

II. Paragraph "1"

Claim 21 has been rejected under 35 USC 112, first paragraph for containing new matter. Applicants respectfully traverse the rejection.

In view of the cancellation of claim 21, this rejection has been rendered moot.

III. Paragraphs "2"- "6" : Prior Art Based Issues

The following rejections are pending:

- 1) Claims 1-2, 4-5, 8, 10-11 and 22 are rejected under 35 U.S.C. § 102(e) as being anticipated by Ku et al. (U.S. Patent Publication 2004/0209432);
- 2) Claims 6-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ku et al. (U.S. Patent Publication 2004/0209432); and
- 3) Claim 9 is rejected under 35 U.S.C § 103(a) as being unpatentable over Ku et al. (U.S. Patent Publication 2004/0209432) in view of Shah et al. (U.S. Patent 6,509,094).

Applicants respectfully traverse all three rejections.

The Examiner has indicated that claim 3 is allowable, see page 5, the paragraph numbered as "7" of the outstanding Office Action. Accordingly, in view of the above amendment to claim 1 to recite the subject matter of claims 2 and 3, the three prior art based rejections are rendered moot.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Conclusion

In view of the above remarks, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Garth M. Dahlen, Ph.D., Esq., Reg. No. 43,575 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 10/799,705
Amendment dated August 3, 2007
After Final Office Action of April 6, 2007

Docket No.: 4249-0113P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: August 3, 2007

Respectfully submitted,

By  #43,575

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